

United States of America

DRAFT PRELIMINARY VIEWS ON WRC-07

WRC-07 Agenda Item 1.12; to consider possible changes in response to Resolution **86 (Rev. Marrakesh, 2002)** of the Plenipotentiary Conference: "Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks" in accordance with Resolution **86 (WRC-03)**;

Deleted: ¹

BACKGROUND: Resolution **86 (Rev. Marrakesh, 2002)** requested that WRC-03 and subsequent Conferences review the regulatory procedures associated with the advance publication, coordination, notification and recording of frequency assignments pertaining to satellite network with the aim to simplifying the process and providing the BR and administrations with cost savings while maintaining the guiding principles outlined in the Constitution and the Radio Regulations.

WRC-03 identified in Resolution **86 (WRC-03)** the scope and the criteria to be used for the implementation of Resolution **86 (Rev. Marrakesh, 2002)**. *Resolves 1* of Resolution **86 (WRC-03)** specifically states that WRC-07 should "consider any proposals which deal with deficiencies in the advance publication, coordination, notification and recording procedures of the Radio Regulations (RR) for space services which have either been identified by the Board and included in the Rules of Procedure or which have been identified by administrations or by the Bureau as appropriate." WRC-03 also resolved that future WRCs consider any proposals that are intended to transform the content of the Rules of Procedure into regulatory text.

For a number of years the ITU has been struggling with how to manage the extensive development of satellite networks and their associated filings at the ITU-BR. Such developments have put a strain on the application of the RR by the BR, which has the responsibility for the processing and examination of the advance publications, coordination requests and notifications of satellite networks.

The burden was such that backlogs have developed and methodologies were developed for trying to improve the process. However, experience has indicated that such methodologies could be improved. In addition, the ITU is itself in a budgetary crisis which has lead to concern that all of its necessary functions can be supported.

It appears that some of the concerns that have arisen could be mitigated through selective modifications of Articles **9** and **11** of the RR. Such modifications could allow the BR staff to carry out their responsibilities more efficiently and effectively. This would result in better service to administrations and more time to provide assistance to individual administrations meriting such support. Such modifications could have the consequential effect of reducing the amount of time necessary for the BR to spend on processing satellite filings and making the result of the BR's work more beneficial to administrations.

Deleted: some

Deleted: [

Inserted: [selective]

Deleted:]

In connection with Resolution **86 (WRC-03)**, the Conference also adopted other resolutions to address some of the potential issues: Resolution **88** which deals with the rationalization of Articles 9 and 11 of the Radio Regulations, Resolution **89** regarding the backlog of satellite network filings and Resolution **901** which concerns the extension of the coordination arc concept to new bands and services.

Deleted: the following

ISSUES:

1) Resolution 86 (WRC-03) – Scope and criteria to be used for the implementation of Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference

a) **Identification of Deficiencies in Selected Parts of the Radio Regulations and Transformation of Rules of Procedure into Radio Regulations**

Formatted: Indent: Left: 0.13", Hanging: 0.38"

Resolves 1 of Resolution **86 (WRC-03)** relates to the consideration of proposals dealing with deficiencies in the advance publication, coordination and notification procedures of the Radio Regulations for space services, and *Resolves 2* relates to consideration of proposals intended to address the transform, the content of the Rules of Procedure into regulatory text. In addition, Nos. **13.0.1** and **13.02** require the Radio Regulations Board (RRB) to submit to the coming WRC modifications to the Radio Regulations needed to alleviate difficulties in the Radio Regulations whether or not they were resolved by Rules of Procedures. For those difficulties that were resolved by Rules of Procedure, the RRB is to include its suggestions in the Report of the Director to the conference, which will be treated under agenda item 7.1. *Considering e)* of Resolution **88 (WRC-03)** also refers to the extensive development of Rules or Procedure to facilitate understanding and interpretation of the Radio Regulations.

Deleted: and *Resolves 2*

Deleted: ation

Deleted: on the basis of proposals received by WRC-07.

U.S. VIEW:

The U.S. supports the transformation of selected Rules of Procedure into Radio Regulations where doing so would alleviate known difficulties; moreover, the U.S. considers this topic appropriate for consideration by WRC-07 and subsequent WRCs. In view of the potentially broad scope of provisions that might be treated under agenda item 1.12, the U.S. is of the view that WRC-07 might transform some, but not all, of the current Rules of Procedures into Radio Regulations. When recommendations or proposals are made to transform a Rule of Procedure into a Radio Regulation, it would be most important for proponents to identify the difficulties being addressed and any differences between the existing and proposed regulations to facilitate their consideration.

Deleted: and

Deleted: an ongoing activity beyond

Deleted: wide ranging treatment of the Radio Regulations

Deleted: could

It is noted that a certain number of Rules of Procedure have been, and will continue to be necessary. These generally relate to activities of the Board and the Bureau in the application of the Radio Regulations, and are unrelated to the difficulties or inconsistencies encountered in the Radio Regulations contemplated by this agenda item. Moreover, additional Rules of Procedure are inevitable as a result of WRC-07 decisions.

Deleted: A

Inserted: A

Deleted: In the process of transforming Rules of Procedures into Radio Regulations, it will be important to highlight any differences between the proposed regulation and the current Rule of Procedure.¶

b) **Ensuring that procedures, characteristics and appendices reflect the latest technologies**

Resolves 3 of Resolution **86 (WRC-03)** addressees the need for provisions of the Radio Regulations to take into account technologies as they develop.

U.S. VIEW:

The U.S. could support modification of the Radio Regulations when the existing procedures, characteristics, and appendices are ineffective for the assessment and management of changes in the interference environment due to the introduction of new technologies.

c) Simplification of the Radio Regulations for space services

Resolves 5 of Resolution **86 (WRC-03)** addresses changes to provisions of the Radio Regulations for space services that would result in the simplification of the procedures and the work of the Bureau and/or administrations. Simplification is also addressed in the *considerings* of Resolution **88 (WRC-03)**.

U.S. VIEW:

The U.S. supports the continued simplification of the Radio Regulations procedures that would facilitate their understanding and minimize the need for associated Rules of Procedure.

d) Changes as a result of a Plenipotentiary Conference

Resolves 6 of Resolution **86 (WRC-03)** addresses changes to the Radio Regulations that follow from decisions of a Plenipotentiary Conference on space matters.

U.S. VIEW:

The U.S. is of the view that the decisions of past Plenipotentiary Conferences as well as the future Plenipotentiary Conferences in 2006 are within the scope of this activity. The U.S. will focus its efforts on assessing the decisions of the 2006 Plenipotentiary Conference to identify any changes to the Radio Regulations that may be required.

2) Resolution 88 (WRC-03) - Rationalization of Articles 9 and 11 of the Radio Regulations

Resolution 88 (WRC-03) recognizes the attempts of various groups within the ITU, beginning with the Voluntary Group of Experts (VGE), to simplify the Radio Regulations, systematically remove unnecessary duplication, inconsistency and complexity and to address omissions. This Resolution resolves that the rationalization, clarification and possible simplification of Articles 9 and 11 be considered by a future conference under Resolution 86 (Rev. Marrakesh, 2002). CPM06-1 assigned the Special Committee on Regulatory and Procedural Matters as the responsible group for the Resolution 88 (WRC-03) aspects of agenda item 1.12.

U.S. VIEW:

The U.S. supports the continued modification, including simplification, of the Radio Regulations procedures that would facilitate their understanding and minimize the need for associated Rules of Procedure. The U.S. is committed to working through the study groups and with other administrations toward that end.

Deleted: It appears that some of the concerns that have arisen could be mitigated through some modifications of Articles 9 and 11 of the RR. Such modifications could allow the BR staff to carry out their responsibilities more efficiently and effectively. This would result in better service to administrations and more time to provide assistance to individual administrations meriting such support. Such modifications could have the consequential effect of reducing the amount of time necessary for the BR to spend on processing satellite filings and making the result of the BR's work more beneficial to administrations.¶

At this preliminary stage, it is the view of the U.S. that the work of the ITU staff could potentially be made more efficient and effective through selective modification of Articles 9 and 11 of the Radio Regulations. However, it is important to ensure that proposed modifications to rationalize and simplify Articles 9 and 11 do not alter the regulatory rights currently afforded to assignments of satellite network filings from the application of satellite coordination and notification procedures. Studies are required to determine which modifications of Articles 9 and 11, if any, would be appropriate.

In the context of agenda item 1.12, the U.S. understands the term “rationalization” to mean clarification, simplification, and improvement of Articles 9 and 11 and not a complete replacement or major rewrite of Articles 9 and 11. The cascading effect on other Articles of the Radio Regulations, the inadvertent introduction of errors and inconsistencies requiring more Rules of Procedure, and the resultant state of uncertainty for the Bureau and Administrations are a few of the anticipated difficulties of extensive revisions to the Articles. These cascading effects, when combined with the wide-ranging treatment of the Radio Regulations under Resolution 86 (WRC-03), lead the US to conclude that extensive revision and restructuring of Articles 9 and 11 should not be attempted. The U.S. supports selective modification of Articles 9 and 11 based on specific needs and opposes extensive revision and restructuring.

Deleted: In view of the wide ranging treatment of the Radio Regulations under Resolution 86 (WRC-03), the U.S. doubts that extensive revision and restructuring of Articles 9 and 11 in accordance with Resolution 88 (WRC-03) can be successfully treated by WRC-07.

3) Resolution 89 (WRC-03) – Backlog in satellite filings

Resolution 89 addresses the issue of reducing the backlog of satellite filings by means of removing unnecessary data in Appendix 4 to reduce processing time, identifying inconsistencies in Appendix 4, and improving the overall database structure and software for electronic filing, particularly the means for validating satellite network filings.

U.S. VIEW:

The U.S. supports correcting inconsistencies and removing unnecessary data elements from Appendix 4. Unnecessary data is understood as data which is duplicative or not useful in the context of the coordination of satellite networks by Administrations. The U.S. supports the continuing improvement of the database structure and software for electronic filing by the Bureau but does not view these initiatives as WRC matters.

4) Resolution 901 (WRC-03) – Determination of the orbital arc separation for which coordination would be required between two satellite networks operating in a space service not subject to a Plan

Resolution 901 (WRC-03) recognized that no difficulties have resulted from the current implementation of the coordination arc concept for certain frequency bands and services. WRC-03 provisionally extended the concept for the BSS and FSS to include bands above 17.3 GHz that are not already covered and specified orbital separations that would apply. Resolution 901 (WRC-03) invites the ITU-R to conduct studies on the applicability of the coordination arc concept for bands and services where this concept is not currently covered in the Radio Regulations and recommend the orbital separation required for triggering coordination to be considered by a future conference for incorporation into Appendix 5 of the Radio Regulations.

U.S. VIEW:

The U.S. supports the coordination arc concept as currently reflected in the Radio Regulations as it facilitates the work of administrations and the Bureau. Any extension of this concept to other frequency bands and other services or the confirmation or revision of the provisional values for the BSS and FSS for bands above 17.3 GHz should be based on technical studies taking into account that the coordination arc concept, if appropriate, may require different values for different services and frequency bands. As is currently provided for in Appendix 5 for GSO/GSO coordination under No. 9.7, administrations should retain the right to request to be included in coordination for networks outside the coordination arc, based on the value of $\Delta T/T$ exceeding 6%.

Deleted: even if the coordination arc threshold condition is not met

Deleted: U.S. VIEWS:¶
1) Resolution 86 (WRC-03) – Scope and criteria to be used for the implementation of Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference¶

a) Transformation of Rules of Procedure into Radio Regulations¶
 The U.S. supports the transformation of Rules of Procedure into Radio Regulations where doing so would alleviate known difficulties and considers this an ongoing activity beyond WRC-07. In view of the wide ranging treatment of the Radio Regulations under agenda item 1.12, the U.S. is of the view that WRC-07 could transform some but not all of the current Rules of Procedures into Radio Regulations. Additional Rules of Procedure are inevitable as a result of WRC-07 decisions. In the process of transforming Rules of Procedures into Radio Regulations, it will be important to highlight any differences between the proposed regulation and the current ... [1]

Deleted: The U.S. could support modification of the Radio Regulations when the existing procedures, characteristics, and appendices are ineffective for the assessment and management of changes in the interference environment due to the introduction of new technologies.

Deleted: ¶
c) Simplification of the Radio Regulations for space services¶
 The U.S. supports the continued simplification of the Radio Regulations procedures that would facilitate their understanding and minimize the need for associated Rules of Procedure.¶

d) Changes as a result of a Plenipotentiary Conference

Deleted: The U.S. is of the view that the decisions of past Plenipotentiary Conferences as well as the future Plenipotentiary Conferences in 2006 are within the scope of this activity. The U.S. will focus its efforts on assessing the decisions of the 2006 Plenipotentiary Conference to identify any changes to the Radio Regulations that may be required.¶

2) Resolution 88 (WRC-03) - Rationalization of Articles 9 and ... [2]

Deleted: The U.S. supports the continued modification, including simplification, of the Radio Regulations procedures that would facilitate their understanding and minimize the need for associated Rules of Procedure. The U.S. is committed to working through the study groups and with other administrations toward that end.¶
 At this preliminary stage, it is the view of the U.S. that the work of the ITU § ... [3]

**Deleted: 4) Resolution 901 (WRC-03)
– Orbital arc separation for
coordination ¶**

The U.S. supports the coordination arc concept as currently reflected in the Radio Regulations as it facilitates the work of administrations and the Bureau. Any extension of this concept to other frequency bands and other services or the confirmation or revision of the provisional values for the BSS and FSS for bands above 17.3 GHz should be based on technical studies taking into account that the coordination arc concept, if appropriate, may require different values for different services and frequency bands. As is currently provided for in Appendix 5 for GSO/GSO coordination under **No. 9.7**, administrations should retain the right to request to be included in coordination based on the value of $\Delta T/T$ exceeding 6% even if the coordination arc threshold condition is not met.¶

U.S. VIEWS:**1) Resolution 86 (WRC-03) – Scope and criteria to be used for the implementation of****Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference****a) Transformation of Rules of Procedure into Radio Regulations**

The U.S. supports the transformation of Rules of Procedure into Radio Regulations where doing so would alleviate known difficulties and considers this an ongoing activity beyond WRC-07. In view of the wide ranging treatment of the Radio Regulations under agenda item 1.12, the U.S. is of the view that WRC-07 could transform some but not all of the current Rules of Procedures into Radio Regulations. Additional Rules of Procedure are inevitable as a result of WRC-07 decisions. In the process of transforming Rules of Procedures into Radio Regulations, it will be important to highlight any differences between the proposed regulation and the current Rule of Procedure.

b) Ensuring that procedures reflect the latest technologies

The U.S. is of the view that the decisions of past Plenipotentiary Conferences as well as the future Plenipotentiary Conferences in 2006 are within the scope of this activity. The U.S. will focus its efforts on assessing the decisions of the 2006 Plenipotentiary Conference to identify any changes to the Radio Regulations that may be required.

2) Resolution 88 (WRC-03) - Rationalization of Articles 9 and 11 of the Radio Regulations

The U.S. supports the continued modification, including simplification, of the Radio Regulations procedures that would facilitate their understanding and minimize the need for associated Rules of Procedure. The U.S. is committed to working through the study groups and with other administrations toward that end.

At this preliminary stage, it is the view of the U.S. that the work of the ITU staff could potentially be made more efficient and effective through modification of Articles 9 and 11 of the Radio Regulations. However, it is important to ensure that proposed modifications to rationalize and simplify Articles 9 and 11 do not alter the regulatory rights currently afforded to assignments of satellite network filings from the application of satellite coordination and notification procedures. Studies are required to determine which modifications of Articles 9 and 11, if any, would be appropriate.

In the context of agenda item 1.12, the U.S. understands the term “rationalization” to mean clarification, simplification, and improvement of Articles 9 and 11 and not a complete replacement or major rewrite of Articles 9 and 11. In view of the wide ranging treatment of the Radio Regulations under Resolution 86 (WRC-03), the U.S. doubts that

extensive revision and restructuring of Articles **9** and **11** in accordance with Resolution **88 (WRC-03)** can be successfully treated by WRC-07. The cascading effect on other Articles of the Radio Regulations, the inadvertent introduction of errors and inconsistencies requiring more Rules of Procedure, and the resultant state of uncertainty for the Bureau and Administrations are a few of the anticipated difficulties. The U.S. supports selective modification of Articles **9** and **11** based on specific needs and opposes extensive revision and restructuring.

3) Resolution 89 (WRC-03) – Backlog in satellite filings

The U.S. supports correcting inconsistencies and removing unnecessary data elements from Appendix **4**. Unnecessary data is understood as data which is duplicative or not useful in the context of the coordination of satellite networks by Administrations. The U.S. supports the continuing improvement of the database structure and software for electronic filing by the Bureau but does not view these initiatives as WRC matters.